

Application No.: 10/822,200

Amendment Accompanying a RCE filed on November 27, 2006

Reply to Interview Summary, Advisory Action, and Final Office Action

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REMARKS

The undersigned representative wishes to thank the Examiner for taking the time to discuss the claims presented in the Amendment and Response to Office Action filed on October 25, 2006, with the undersigned on November 24, 2006. Reconsideration of the application as amended in view of that discussion is respectfully requested.

Status of the Claims

Claims 1-28 have previously been cancelled. Moreover, claims 29-31, 33-34, and 40-49 have been cancelled herein.

Discussion of the Amendments to the Claims

The claims have been amended following the suggestions of the Examiner in an effort to advance prosecution and not in acquiescence of any rejection or any comments made in the Interview Summary. Claims 29-31, 33-34, and 40-49 have been cancelled without prejudice herein. Moreover, claims 35 and 37-39 have been amended to change their dependency in view of the cancellation of claim 34. No new matter has been added by way of the amendments to the claims.

Other Remarks

Applicants respectfully disagree with the Examiner's indication in the Interview Summary that a claim reciting three ePTFE layers and a gel would read on U.S. Patent No. 4,193,138 to Okita (hereinafter "Okita"). Okita is not directed to a multi-layered ePTFE graft. Rather, Okita is directed to a composite vascular prosthesis which includes a single polytetrafluoroethylene tube. Applicants thus reserve the right to pursue claims directed to a multi-layered ePTFE graft having fluoropolymers such as ePTFE in a sealing layer.

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In any event, Applicants appreciate the suggestions provided by the Examiner in the Interview Summary issued on November 24, 2006, and the claims have been amended herein to incorporate those suggestions in an effort to advance prosecution. As the claim amendments submitted in the Amendment and Response to Office Action filed on October 25, 2006, were not entered by the Examiner, and as the claim amendments submitted in the Amendment and Response to Office Action filed on July 25, 2006, also were not entered, the claim amendments herein are shown relative to the claims as presented in the Amendment and Response filed on February 15, 2006. Applicants respectfully request entry of the amendments presented herein in lieu of entry of the unentered amendments which were presented in the Amendment and Response to Office Action which was filed on October 25, 2006, and in lieu of entry of the unentered amendments which were presented in the Amendment and Response to Office Action which was filed on July 25, 2006.

In view of the amendments to the claims, the application is believed to be in condition for allowance. Applicants reserve the right to pursue the cancelled subject matter, including the subject matter of any cancelled independent or dependent claim which has been incorporated into the claims being presented herein, in a continuation application.

The Examiner is invited to contact the undersigned if she has any questions regarding this submission or, if in her opinion, a teleconference call would expedite prosecution of the subject application.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if

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any, under 37 C.F.R. § 1.17, and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,



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